

**CITY OF CARMEL - CLAY TOWNSHIP  
HAMILTON COUNTY, INDIANA**

**APPLICATION FOR BOARD OF ZONING APPEALS ACTION**

**SPECIAL USE/SPECIAL USE AMENDMENT APPROVAL REQUEST**

**Fee \$834.00, \$111.00 per acre**

DOCKET NO. \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

1) Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

2) Project Name: \_\_\_\_\_ Phone & Fax : \_\_\_\_\_

Engineer/Architect: \_\_\_\_\_ Phone: \_\_\_\_\_

Attorney: \_\_\_\_\_ Phone: \_\_\_\_\_

3) Applicant's Status: (Check the appropriate response)

\_\_\_\_\_ (a) The applicant's name is on the deed to the property

\_\_\_\_\_ (b) The applicant is the contract purchaser of the property

\_\_\_\_\_ (c) Other: \_\_\_\_\_

4) If Item 3) (c) is checked, please complete the following:

Owner of the property involved: \_\_\_\_\_

Owner's address: \_\_\_\_\_ Phone: \_\_\_\_\_

5) Record of Ownership:

Deed book No./Instrument No. \_\_\_\_\_

Page: \_\_\_\_\_ Purchase Date: \_\_\_\_\_

6) Common address of the property involved: \_\_\_\_\_

Legal description: \_\_\_\_\_

Tax Map Parcel No.: \_\_\_\_\_

7) State explanation of requested Special \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

8) State reasons supporting the Special Use: (Additionally, complete the attached question sheet entitled "Findings of Fact-Special Use").

\_\_\_\_\_  
\_\_\_\_\_

- 9) Present zoning of the property (give exact classification): \_\_\_\_\_
- 10) Present use of the property: \_\_\_\_\_
- 11) Size of lot/parcel in question: \_\_\_\_\_ acres
- 12) Describe the proposed use of the property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 13) Is the property:            Owner occupied \_\_\_\_\_  
   Renter occupied \_\_\_\_\_  
   Other \_\_\_\_\_
- 14) Are there any restrictions, laws, covenants, variances, special uses, or appeals filed in connection with this property that would relate or affect its use for the specific purpose of this application? If yes, give date and docket number, decision rendered and pertinent explanation.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 15) Has work for which this application is being filed already started? If answer is yes, give details:  
      Building Permit Number: \_\_\_\_\_  
      Builder: \_\_\_\_\_
- 16) If proposed special use is granted, when will the work commence? \_\_\_\_\_
- 17) If the proposed special use is granted, who will operate and/or use the proposed improvement for which this application has been filed?  
\_\_\_\_\_

**NOTE:**

LEGAL NOTICE shall be published in the Indianapolis Star a MANDATORY twenty-five (25) days prior to the public hearing date. The certified "Proof of Publication" affidavit for the newspaper must be available for inspection the night of the hearing.

LEGAL NOTICE to all adjoining and abutting property owners is also MANDATORY, two methods of notice are recommended:

1) CERTIFIED MAIL - RETURN RECEIPT REQUESTED sent to adjoining property owners. (The white receipt should be stamped by the Post Office at least twenty-five (25) days prior to the public hearing date.)

2) HAND DELIVERED to adjoining and abutting property owners (A receipt signed by the adjoining and abutting property owner acknowledging the twenty-five (25) day notice should be kept for verification that the notice was completed)

**REALIZE THE BURDEN OF PROOF FOR ALL NOTICES IS THE RESPONSIBILITY OF THE APPLICANT. AGAIN, THIS TASK MUST BE COMPLETED AT LEAST TWENTY-FIVE (25) DAYS PRIOR TO PUBLIC HEARING DATE.**

### Adjacent Properties List

The applicant understands that docket numbers will not be assigned until all supporting information has been submitted to the Department of Community Services.

The applicant certifies by signing this application that he/she has been advised that all representations of the Department of Community Development are advisory only and that the applicant should rely on appropriate subdivision and zoning ordinance and/or the legal advice of his/her attorney.

I, \_\_\_\_\_, Auditor of Hamilton County, Indiana, certify that the attached affidavit is a true and complete listing of the adjoining and adjacent property owners concerning Docket No. \_\_\_\_\_.

OWNERADDRESS

EXAMPLE ONLY:

Formal list request sheet & official list may be acquired from the Hamilton County Auditor's Office (776-8401).

Auditor of Hamilton County, Indiana

**AFFIDAVIT**

I, hereby swear that I am the owner/contract purchaser of property involved in this application and that the foregoing signatures, statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I, the undersigned, authorize the applicant to act on my behalf with regard to this application and subsequent hearings and testimony.

Signed: \_\_\_\_\_

(Property Owner, Property Owner's Attorney (Date)  
or Property Owner's Power of Attorney)

\_\_\_\_\_  
(Please Print)

STATE OF INDIANA

SS:

County of \_\_\_\_\_ Before me the undersigned, a Notary Public  
(County in which notarization takes place)

for \_\_\_\_\_ County, State of Indiana, personally appeared  
(Notary Public's county of residence)

\_\_\_\_\_ and acknowledge the execution of the foregoing instrument  
(Property Owner, Attorney, or Power of Attorney)

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public--Signature

(SEAL)

(SEAL)

\_\_\_\_\_  
Notary Public--Please Print

My commission expires: \_\_\_\_\_

**NOTICE OF PUBLIC HEARING BEFORE THE  
CARMEL BOARD OF ZONING APPEALS**

Docket No. \_\_\_\_\_

Notice is hereby given that the Carmel/Clay Board of Zoning Appeals meeting on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ pm in the City Council Chambers, 2nd floor of City Hall, One (1) Civic Square, Carmel, Indiana 46032 will hold a Public Hearing upon a Special Use application to \_\_\_\_\_

\_\_\_\_\_

property being known as \_\_\_\_\_.

The application is identified as Docket No. \_\_\_\_\_.

The real estate affected by said application is described as follows:

(Insert Legal Description)

All interested persons desiring to present their views on the above application, either in writing or verbally, will be given an opportunity to be heard at the above-mentioned time and place.

\_\_\_\_\_  
PETITIONERS

**PETITIONER'S AFFIDAVIT OF NOTICE OF PUBLIC HEARING  
CARMEL/CLAY BOARD OF ZONING APPEALS**

I (WE) \_\_\_\_\_ DO HEREBY CERTIFY THAT A LEGAL  
(Petitioner's Name)  
NOTICE OF PUBLIC HEARING BEFORE THE CARMEL/CLAY BOARD OF ZONING APPEALS CONSIDERING  
DOCKET NUMBER \_\_\_\_\_, WAS GIVEN AT LEAST TWENTY-FIVE (25)\* DAYS PRIOR  
TO THE DATE OF THE PUBLIC HEARING TO THE BELOW LISTED OF ADJOINING AND ABUTTING PROPERTY  
OWNERS:

<u>OWNER</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

STATE OF INDIANA

SS:

The undersigned, swear that the above information is in all respects is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Petitioner

County of \_\_\_\_\_ Before me the undersigned, a Notary Public  
(County in which notarization takes place)

for \_\_\_\_\_ County, State of Indiana, personally appeared  
(Notary Public's county of residence)

\_\_\_\_\_ and acknowledge the execution of the foregoing instrument  
(Property Owner, Attorney, or Power of Attorney)

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public--Signature

\_\_\_\_\_  
Notary Public--Please Print

My commission expires: \_\_\_\_\_

\* 10 day notice for BZA Hearing Officer Meeting.

**CARMEL/CLAY BOARD OF ZONING APPEALS**  
**Carmel, Indiana**

Docket No. : \_\_\_\_\_

Petitioner: \_\_\_\_\_

**FINDINGS OF FACT - SPECIAL USE (Ballot Sheet)**

1. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Board Member

**CARMEL/CLAY BOARD OF ZONING APPEALS  
CARMEL, INDIANA**

Docket No.: \_\_\_\_\_

Petitioner: \_\_\_\_\_

**FINDINGS OF FACT - SPECIAL USE**

1. The premises in question is particularly physically suitable for the proposed Special Use because:  
\_\_\_\_\_
2. The Special Use will not injuriously or adversely affect economic factors, such as cost/benefit to the community and its anticipated effect on surrounding property values because:  
\_\_\_\_\_
3. The Special Use will be consistent with social/neighborhood factors, such as compatibility with existing uses and those permitted under current zoning in the vicinity of the premises under consideration and how the proposed Special Use will affect neighborhood integrity because:  
\_\_\_\_\_
4. The Special Use will not injuriously or adversely affect the adequacy and availability of water, sewage and storm drainage facilities and police and fire protection because:  
\_\_\_\_\_
5. The Special Use will not adversely affect vehicular and pedestrian traffic in and around the premises upon which the Special Use is proposed because:  
\_\_\_\_\_
6. The Board has reviewed the requirements of Ordinance Z-160, Section 21.03 (1-26) as they relate to this Special Use, and does not find that those criteria prevent the granting of the Special Use:  
\_\_\_\_\_  
\_\_\_\_\_

**DECISION**

IT IS THEREFORE the decision of the Carmel/Clay Board of Zoning Appeals that Special Use Docket Number \_\_\_\_\_ is granted, subject to any conditions stated in the minutes of this Board, which are incorporated herein by reference and made a part hereof.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
CHAIRPERSON, Carmel/Clay Board of Zoning Appeals

\_\_\_\_\_  
SECRETARY, Carmel/Clay Board of Zoning Appeals

\_\_\_\_\_  
Conditions of the Board are listed on the back.  
(Petitioner or his representative to sign).